July 19, 1988

Doris Stockton, Treasurer Arlington Heights Landowners Association 1900 Bonnie Brae Street Riverside, CA 92056

> Re: Your Request for Advice Our File No. A-88-258

Dear Ms. Stockton:

You have requested advice concerning the campaign disclosure provisions of the Political Reform Act. As we discussed on June 29, 1988, your letter to Mr. Imberi in the Secretary of State's Political Reform Division was referred to this office for a reply.

QUESTION

You have asked whether the Arlington Heights Landowners Association ("the Association") must register and file campaign disclosure reports when it contributes funds from its treasury to its sponsored committee, Riverside Tomorrow--Arlington Heights Citizens Association ("the Committee").

CONCLUSION

The Association is not required to file separate campaign disclosure reports if its only financial activity in connection with elections is to provide funds and administrative services to its sponsored committee, and the criteria set forth in the following analysis are satisfied.

FACTS

The Arlington Heights Landowners Association was formed in 1986 to plan for the use of land owned by its members. In 1987,

^{1/}Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000 et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

the Association registered Riverside Tomorrow as a recipient committee to handle its political activities, including its current effort to qualify an initiative for the November 1988 ballot. In May of this year, you were advised locally that the Association may have separate filing obligations under the Act. Subsequently, the Association filed another recipient committee statement of organization (Form 410) under its own name.

ANALYSIS

Regulation 18419 (copy enclosed) states that organizations which sponsor recipient committees are not required to register and file separate campaign disclosure reports as long as all of the following criteria are satisfied:

- (1) The sponsor does not make or receive a sufficient amount of contributions or independent expenditures, other than those in support of its sponsored committee, to satisfy the thresholds set forth in Government Code Section 82013. A sponsoring organization makes contributions and expenditures in support of its sponsored committee when it provides the committee with member contributions, money from its treasury, supplies or administrative services;
- (2) The sponsored committee reports all contributions and expenditures made in support of the committee by the sponsor, its intermediate units, and the members of such entities. With respect to a member contribution which is channeled through the sponsor or an intermediate unit, the member is the contributor;
- (3) The sponsored committee reports as an intermediary the sponsor...if the sponsor...directly or indirectly provides the committee with \$100 or more in member contributions regardless of whether any member for whom the sponsor...acts contributed \$100 or more; and
- (4) A responsible officer of the sponsor, as well as the treasurer of the sponsored committee, verifies the committee's campaign statement pursuant to Government Code Section 81004.

Regulation 18419(c).

If the above criteria are not satisfied and a sponsoring organization is required to file campaign disclosure reports, it must disclose contributions it makes to the sponsored committee. (Regulation 18419(d).)

During our June 29, 1988 telephone conversation, I noted that Riverside Tomorrow is using the name Arlington Heights Citizens Association (rather than Landowners Association) on its statement of organization, and advised you that pursuant to subsection (b) of Regulation 18419, the Committee must use the Association's correct name in the name of the committee. You indicated that the Association had contemplated changing its name to Arlington Heights Citizens Association and that you will take whatever steps are necessary to formalize the name change for the Association or amend the Committee's statement of organization to correctly reflect the sponsor's name.

If you need further assistance, please do not hestitate to contact me at (916) 322-5662.

Sincerely,

Diane M. Griffiths General Counsel

Carla Wardlow

Ву

Carla Wardlow Political Reform Consultant

Enclosure



March Fong Eu Secretary of State 1230 J Street P.O. Box 1467 Sacramento, California 95807 POLITICAL REFORM DIVISION (916) 322-4880

June 28, 1988

Ms. Doris Stockton, Treasurer AHLOA, ID# 881265 1900 Bonnie Brae Street Riverside, CA 92506

Dear Ms. Stockton:

Thank you for your letter concerning Arlington Heights Landowner's Association and Riverside Tomorrow. I have reviewed your letter and the Statements of Organization of the two groups. The situation seems grey enough and the questions raised technical enough that I do not feel comfortable giving you advice. Therefore, I am referring your letter to the Fair Political Practices Commission, since they are responsible for making technical interpretations of the Political Reform Act of 1974.

Please accept my apology for not being able to handle this directly.

Sincer**e**ly,

Wayne 1. Imberi, Office Manager

Political Reform Division

WPI:mw

Enclosures

cc: FPPC

Locid 6/201

June 20, 1988

Mr. Wayne Imberi Political Reform Division 1230 J Street P.O. Box 1467 Sacramento, CA 95807 88-258 July³¹.



RE: Arlington Heights Landowner's Association - ID# 881-265

Dear Mr. Imberi,

In May, 1988 we were advised locally that "we needed to file form 410 because we seemed to be a sponsoring committee to a recipient committee."

Arlington Heights Landowners Association, (AHLOA), was incorporated in January, 1986 as a non-profit mutual benefit corporation. All of the funding of AHLOA has come from dues and assessments charged to our members. These funds were used to pay consultants for plans and suggestions for the use of the land owned by members of the association, legal fees, promotion and clerical help.

In the fall of 1987 we became politically active and formed Riverside Tomorrow - ID# 870-857. This PAC has done the required reporting for our political activity.

We are currently involved in qualifying an initiative for the Fall 1988 ballot.

It is not clear from our conversation today whether we need two PAC numbers and separate, duplicate reporting for the Board of Directors of ALHOA to contribute funds from the AHLOA treasury to Riverside Tomorrow PAC.

We are an inexperienced, grass roots group of local citizens who wish to follow the rules to the letter of the law.

Should we terminate PAC# 881-265 (AHLOA)? If so, how should we proceed?

We appreciate your help and are looking forward to your clarification.

Sincerely,

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Doris Stockton, Treasurer, AHLOA 1900 Bonnie Brae Street Riverside, CA 92506

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1988

FILE AN ORIGINAL AND ONE COPY OF THIS FORM WITH

Secretary of State Political Reform Division P.O. Box 1467 Sacramento, CA 95812 1467

AND, IF APPLICABLE FILE ONE COPY OF THIS FORM WITH

The city or county filing officer, if any, with whom the committee must file its original campaign diselosure

RECEIVED AND FILED affice of the Secretary of State of the State of Culifornia

MAY 27 1988

STATEMENT OF ORGANIZATION (RECIPIENT COMMITTEE)

MARCH FONG EU, Secretary of State (Government Code Section 84101-84103) ENTER I D. NUMBER (Type or Print in Ink) **FULL NAME OF COMMITTEE** STREET ADDRESS OF COMMITTEE NO AND STREET ZIP CODE COUNTY: CHY 9250 CM WUSIDE MAILING ADDRESS (IF DIFFERENT) NO AND SIKEL! (OR I'O BOX) ZIP COOE CHYMIAIE 92506 Weside CA DATE QUALIFIED AS COMMITTEE (MO. DAY YR.): AREA COOF PHONE NUMBER Α OFFICIAL USE ONLY OFFICIAL USE ONLY 769-8414 TREASURER AND OTHER PRINCIPAL OFFICERS BUSINESS (AREA CODE) **POSITION** NAME AND ADDRESS AND MAILING ADDRESS, IF DIFFERENT PHONE NO 9250 **TREASURER** 92503 Attach additional information on appropriately labeled continuation sheets IS THIS A CONTROLLED COMMITTEE? (A controlled committee is one which is controlled directly or indirectly by a candidate or a proponent of a state ballot measure or which acts jointly with a candidate, controlled committee or proponent of a state ballot measure in connection with the making of expenditures. A candidate or proponent of a state ballot measure controls a committee if he or she, his or her agent, or any other committee he or she controls, has a significant influence on the actions or decisions of the committee.) YES (Complete the following and proceed to Part III) NO NAME OF CONTROLLING CANDIDATE, NAME OF THE ELECTIVE OFFICE SOUGHT OR HELD AND DISTRICT NUMBER, IF ANY IF THIS COMMITTEE IS CONTROLLED BY MORE THAN ONE CANDIDATE, THE NAME OF EACH CONTROLLING CANDIDATE MUST BE LISTED. IF THIS COMMITTEE IS CONTROLLED BY A STATE MEASURE PROPONENT, NAME OF THE STATE MEASURE PROPONENT MUST BE LISTED Attach additional information on appropriately labeled continuation sheets. III IS THIS COMMITTEE ACTING JOINTLY WITH OTHER COMMITTEES? YES (Complete the following and proceed to Part V) NAMES OF COMMITTEES WITH WHICH THIS COMMITTEE ACTS JOINTLY ALSO PROVIDE THE COMMITTEE'S IDENTIFICATION NUMBERS OR THE TREASURERS' NAMES AND PERMANENT STREET ADDRESSES

Attach additional information on appropriately labeled continuation sheets.

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Secretary of State

Political Reform Division P.O. Box 1467 Sacramento, CA 95807

AND, IF APPLICABLE, FILE ONE COPY OF THIS FORM WITH

The city or county filing officer, if ar with whom the committee must file its original camp ligh disclosure statements.

AND FILED

in the office of the Secretary of State
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FEB 0 1 1988

STATEMENT OF ORGANIZATION (RECIPIENT COMMITTEE)

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I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

information contained herein is true and complete.

Executed on Dec. 9:1967at K. Verside Ca. by Setty C. Doubransky
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Political Reform Division P.O. Box 1467 Sacramento, CA 95807

AND, IF APPLICABLE, FILE ONE COPY OF THIS FORM WITH:

The city or county filing officer, if any, with whom the committee must file its original campaign disclosure statements.

RECEIVED
AND FILED
In the office of the Secretary of State
of the State of California

OCT 191987

MARCH FONG EU, Secretary of State

STATEMENT OF ORGANIZATION (RECIPIENT COMMITTEE) (Government Code Section 84101-84103)

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I have used all reasonable diligence in preparing this Statement. I have reviewed the Statement and to the best of my knowledge the information contained herein is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

ORIGINAL AND ONE JE THIS FORM WITH

retary of State وري Political Reform Division P.O. Box 1467 Sacramento, CA 95807

AND IF APPLICABLE, FILE ONE COPY OF THIS FORM WITH

The city or county filing officer, if any, with whom the committee must file its original campaign disclosure statements.



1987

STATEMENT OF ORGANIZATION (RECIPIENT COMMITTEE)

AUG 2 4 1987. (Government Code Section 84101-84103) IARCH FONG EU. Socretary of State ENTER I.D. NUMBER (Type or Print in Ink) FULL NAME OF COMMITTEE: Riverside Leity and County Of] RIVERSIDE TOMORROW -iKA STREET ADDRESS OF COMMITTEE 9250-3 COUNTY Drive, CASuite 123 Riverside Airport Riverside DATE QUALIFIED AS COMMITTEE (MO., DAY, YR.): AREA CODE Α OFFICIAL USE ONLY OFFICIAL USE ONLY B vet qualified 688-2492 TREASURER AND OTHER PRINCIPAL OFFICERS (AREA BUSINESS POSITION NAME AND PERMANENT STREET ADDRESS PHONE NO. CODE) TREASURER Betty C. Doubravsky 2523 Adams St. Riverside CA 92504 714 688-2492 Attach additional information on appropriately labeled continuation sheets. IS THIS A CONTROLLED COMMITTEE OR DOES THIS COMMITTEE ACT JOINTLY WITH ANOTHER CANDIDATE OR COMMITTEE? (A controlled committee is one which is controlled directly or indirectly by a candidate or a proponent of a state ballot measure or which acts jointly with a candidate, controlled committee or proponent of a state ballot measure in connection with the making of expenditures. A candidate or proponent of a state ballot measure controls a committee if he or she, his or her agent, or any other committee he or she controls, has a significant influence on the actions or decisions of the committee.) YES (Complete the following and proceed to Part IV) CANDIDATES OR STATE MEASURE PROPONENTS CONTROLLING THIS COMMITTEE; CANDIDATES, STATE MEASURE PROPONENTS OR COMMITTEES WITH WHICH THIS COMMITTEE ACTS JOINTLY. NOTE: If this committee is controlled by more than one candidate, the name of each controlling candidate must be listed below. NAME OF CANDIDATE, STATE MEASURE PROPONENT OR AFFILIATED COMMITTEE. IF CANDIDATE, ALSO PROVIDE IF ACTING JOINTLY WITH ANOTHER COMMITTEE, IDENTIFICATION NUMBER OF THE NAME OF THE ELECTIVE OFFICE SOUGHT OR HELD. COMMITTEE OR TREASURER'S NAME AND PERMANENT STREET ADDRESS AND DISTRICT NUMBER, IF ANY Attach additional information on appropriately labeled continuation sheets. III IS THIS A SPONSORED COMMITTEE? (Refer to definitions on the reverse side) YES (Provide name and address of sponsor. If the committee has more than one sponsor, provide the name and address of each sponsor on an attachment.) Name of Sponsor: __ AHLOA 10621 Zodiac Drive Riverside CA 92503 Address of Sponsor: ___ (If yes, check one of the classifications below and refer to the instructions on the reverse side for definitions and rules regarding the name of the committee.) CLASSIFICATION OF COMMITTEE BY INDUSTRY GROUP OR AFFILIATION: ☐ Agriculture Entertainment: Recreation ☐ Finance/Insurance ☐ Health Industrial/Manufacturing ☐ Labor Legal Merchandise/Retail C Oil/Gas Public Employees ☐ Trade I Utilities ☐ Real Estate ☐ Transportation

YOU MUST COMPLETE THE VERIFICATION ON PAGE 2

General Purpose Recipient Committees

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